

## **Resolution 2006 –79**

### **Fire Ban in Unincorporated Portions of Moffat County**

WHEREAS, section 30-15-401.5 (1), Colorado Revised Statutes, authorizes the Board of County Commissioners of any county, by adoption of ordinances, to ban open fires in portions of the unincorporated areas of the county under certain circumstances; and

WHEREAS, at certain times of the year under certain conditions there exists a high danger for forest and grass wildfires in some or all of the unincorporated portions of Moffat County; and

WHEREAS, the Board of County Commissioners (the “Board”) of Moffat County finds that health, safety and welfare of the residents of Moffat County would be better protected if the Board has the ability to ban open fires in the unincorporated portions of Moffat County during times in which a high danger of forest or grass wildfires exists; and

NOW THEREFORE BE IT RESOLVED, the Board of County Commissioners, pursuant to recommendations from the Moffat County Sheriff, ban fires in the entire County of Moffat effective June 27<sup>th</sup>, 2006 until further notice.

NOW THEREFORE BE IT FURTHER RESOLVED, the Board of County Commissioners, adopts the Activities Prohibited by Full Restriction Open Fire Ban and Exemptions from Open Fire Ban as attached.

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Tom Gray, Chairman

27 June 2006  
Adopted

State of Colorado)  
                          )§  
County of Moffat)

I, Elaine Sullivan, County Clerk and Ex-officio to the Board of Commissioners, do hereby certify that the above and foregoing is a true and complete copy of the resolution as adopted by the Board of County Commissioners on the date stated.

Witness my hand and the seal of said County this 27<sup>th</sup> day of June 2006.

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(Deputy) Clerk and Ex-officio to  
County Commissioners, Moffat County  
State of Colorado, Elaine Sullivan

**Activities Prohibited by Full Restriction Open Fire Ban.** Unless otherwise specified in the Board's declaration of an open fire ban, from and after the effective date of the declaration until the Board shall have modified or terminated such declaration, the following activities shall be prohibited in the portions of the unincorporated areas of Moffat County, which are subject to such ban:

- a. Building, maintaining, attending or using any fire to burn trash, debris, fence rows or vegetation, any campfire, warming fire, or charcoal grill; except in designated campgrounds, picnic areas or developed recreation sites where permanent fire pits or fire grates are located.
- b. Smoking; except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area of at least three feet in diameter that is barren and cleared of all flammable material.
- c. Operating a chainsaw without a USDA or SAE approved spark arresting device properly installed and in effective working order, and a chemical pressurized five pound fire extinguisher, and one round pointed shovel with an overall length of at least 36 inches. The extinguisher shall be with the chainsaw operator. The shovel may be kept with the fueling supplies but readily available for quick use.
- d. Welding or operating an acetylene or other torch with an open flame; except within an area that is barren or cleared of all flammable material at least 10 feet on all sides from the equipment and possess a chemical pressurized five pound fire extinguisher, and one round pointed shovel with an overall length of at least 36 inches. The extinguisher and shovel may be kept with the welding supplies but must be readily available for quick use.
- e. Using explosives requiring fuses or blasting caps.
- f. Discharge of ANY fireworks is prohibited.

**Exemptions from Open Fire Ban.** The foregoing notwithstanding, the following persons and acts are exempt from the prohibition.

- a. Persons with a valid written permit from the jurisdictional federal agency or Sheriff of the respective county and which specifically authorizes the prohibited act.
- b. Any federal, state, or local officer or member of the organized rescue or firefighting force in the performance of an official duty.
- c. Any fires contained within liquid-fueled or gas fueled stoves, fireplaces within buildings, charcoal grill fires at private residences and permanent fire pits or fire grates located in developed picnic grounds and campgrounds.
- d. Burning of irrigation ditches located within and completely surrounded by irrigated farmlands where such burning is necessary for crop survival and the county sheriff has granted a specific written permit in advance.
- e. Campfires or bonfires required in religious ceremonies and for which a valid written permit has been granted in advance by a federal agency or county sheriff.

Exemptions to this order may be granted within non-federal lands only by the Moffat County Sheriff, or within federal lands by the administering federal agency, and only if the proposed action is deemed by the Sheriff or federal agency to be safe and the attendant fire danger can be satisfactorily mitigated.